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13281 U.S. PTO  
110408

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior Application No.: 09/991,283  
 Applicant : Elliott FARBER  
 Filed : November 4, 2005  
 TC/A.U. : Not Yet Assigned  
 Examiner : Not Yet Assigned  
 Docket No. : 69273-0013 CIP  
 Customer No. : 24633

Confirmation No. : Not Yet Assigned

**MAIL STOP: PATENT APPLICATION**  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

**TRANSMITTAL FOR A NEW CONTINUATION-IN-PART**  
**PATENT APPLICATION UNDER 37 C.F.R. §1.53(b)(2)**

This is a request for filing a Continuation-in-Part patent application under 37 C.F.R. §1.53(b)(2) of:

Inventor: Elliott FARBER

Title: **METHODS FOR TREATMENT OF INFLAMMATORY DISEASES**

Applicant petitions for an extension of time for prior application no.09/991,283, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two month	\$ 450.00	\$ 225.00
<input checked="" type="checkbox"/> three month	\$ 1020.00	\$ 510.00
<input type="checkbox"/> four month	\$ 1590.00	\$ 795.00
<input type="checkbox"/> five month	\$ 2160.00	\$ 1080.00

1.  This is a new **UTILITY** patent application, which is a Continuation-in-Part (CIP) of U.S. Patent Application Serial No.09/991,283, filed November 13, 2001, which is a CIP of U.S. Patent Application No. 09/758,696 filed January 11, 2001, which is a CIP of U.S. Patent Application No. 09/570,120 filed May 12, 2000, which is a CIP of U.S. Patent Application No. 09/360,095 filed July 23, 1999 now U.S. Patent No. 6,281,236 issued August 28, 2001

75 FFANAEIA 00000001-501349- 09991283  
 3 510.00 DA  
 E: 11/08/2005 FFANAEIA  
 95 FFANAEIA 00000001 501349 09991283  
 13 510.00 CR

11/08/2005 FFANAEIA 00000043 501349 09991283  
 01 FC:2253 510.00 DA

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2. **The papers enclosed to obtain a filing date are as follows:**

127 Pages of Application including:

- 01 Application Cover Sheet
- 77 Pages of Disclosure;
- 37 Pages of Claims (12 Independent - 173 Total Claims); and
- 01 Page of Abstract
- 11 Sheets of Drawings containing Figures 1(a)-1(b), 2, 3(a)-3(b), 4(a)-4(c), 5(a)-5(b), 6(a)-6(b), 7-8, 9(a)-9(b), 10(a)-10(b) and 11(a)-11(d)

3. **Combined Declaration and Power of Attorney**

- Enclosed and is newly executed by all inventors.
- Enclosed in this continuation/divisional application and is a copy from a prior application (37 CFR § 1.63(d)).
- Not Enclosed.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant awaits notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

4. **Language - English**

5. **Assignment - An assignment to Alwyn Company, Inc. will be filed later.**

6. **Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.**

Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy:  is attached.  will follow.

7. **Priority based on provisional application under 35 U.S.C. §119(e)**

Benefit of the following U.S. provisional application(s) is claimed:

Provisional Application No.	Filed

8. Priority based on the provisions of 35 U.S.C. §120  
 Benefit of the following U.S. application is claimed:

Application No.	Filed
09/991,283	November 13, 2001
09/758,696	January 11, 2001
09/570,120	May 12, 2000
09/360,095	filed July 23, 1999

9. **Preliminary Amendment**

Amend the specification by inserting before the first line the sentence:  
This is a new UTILITY patent application, which is a Continuation-in-Part (CIP) of U.S. Patent Application Serial No.09/991,283, filed November 13, 2001, which is a CIP of U.S. Patent Application No. 09/758,696 filed January 11, 2001, which is a CIP of U.S. Patent Application No. 09/570,120 filed May 12, 2000, which is a CIP of U.S. Patent Application No. 09/360,095 filed July 23, 1999 now U.S. Patent No. 6,281,236 issued August 28, 2001

10. **Small entity status**

Small entity status under 37 C.F.R. §1.27 is claimed for this application.

110405  
13281Attorney Docket No. 69273-0013 CIP  
Continuation-in-Part dated November 4, 2005

U.S. PTO

## 11. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$300.00
Total Claims (37 C.F.R. §1.16(c))	17 - 20 =	1	x 50/25 =	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	1 - 3 =	0	x 200/100 =	+\$ 0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 360/180	+\$ 0.00
Utility Application Size Fee – for each additional 50 sheets that exceeds 100 sheet \$250/125				+\$ 0.00
Utility Search Fee \$500/250				+\$ 500.00
Utility Examination Fee \$200/100				+\$ 200.00
			<b>SUB-TOTAL =</b>	<b>+\$ 1,000.00</b>
			<b>Reduction by 1/2 for filing by a small entity</b>	<b>-\$ 500.00</b>
			<b>TOTAL FILING FEE =</b>	<b>\$ 500.00</b>

12.  Fee Payment Not Enclosed.  
**NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

13.  Except the Commissioner is hereby authorized to charge Deposit Account No. 50-1349 in the amount of \$510.00 (for filing of 3-month Extension of Time in prior application no. 09/991,283).

14.  Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

15. Additional papers enclosed:

- Nonpublication Request pursuant to 37 CFR § 1.213
- Combined Power of Attorney by Assignee and Certificate under 37 CFR § 3.73(b)
- Change of Correspondence Address
- Preliminary Amendment
- Information Disclosure Statement
- Form PTO- 1449, documents as listed
- Declaration of Biological Deposit
- Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

**HOGAN & HARTSON LLP**

Dated: November 4, 2005

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